

MEETING #23 – July 5

At a Joint Meeting of the Madison County Board of Supervisors and the Madison County Planning Commission on July 5, 2017 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman
[REDACTED]
Robert Campbell, Member
Kevin McGhee, Member
Charlotte Hoffman, Member
V. R. Shackelford, III, County Attorney
[REDACTED]
Betty Grayson, Zoning Administrator

ABSENT: Jonathon Weakley, Vice-Chairman
Daniel J. Campbell, County Administrator

Planning Commission:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum

Mr. Yowell, Commission Chair, noted that a Quorum was present.

2. Approval of Minutes

The minutes of the June 7, 2017 meeting were approved as submitted.

3. Action Items:

Mr. Yowell provided an overview of tonight's meeting process; representatives were asked to approach the podium to provide their name and any information pertinent to tonight's case; questions will be entertained by the Commission members, the public, and then the case will be recommended onto the Madison County Board of Supervisors either for approval, denial or tabling. In closing, he asked that applicants remain for the Madison County Board of Supervisor's portion of tonight's meeting.

42-20F a. Case No. SU-07-17-11: Request by Deborah Gillespie for an indefinite special use permit to operate a kennel for no more than twenty-eight (28) adult dogs (this does not include the puppies). This property is located on Route 631 (Meander Run Road) and contains 13.578 acres of land near Locust Dale, zoned A-1.

John "Butch" Davies, Attorney was present along with the applicants; advised that a house is under construction; provided measurements for the house; Commission was encouraged to approve tonight's request and add a condition to advise that:
"The dogs will be put up at night by 7:00 p.m. and will not be let out in the morning until 7:00 a.m." (i.e. 7 a.m. to 7 p.m. schedule)"

As suggested by the applicant, and is deemed to be most beneficial, and will reduce the level of noise. Additional highlights of the application were noted as follows:

- ✓ Kennel will house twenty-eight (28) dogs
- ✓ The applicant does sell the dogs (and delivers them to Richmond)
- ✓ Very little traffic will be involved

Mr. Yowell, Chair, advised that an email has been received from Anthony Hurlock of VDOT on 6/13/17 to indicate that VDOT has no objections to the proposed request, and that the existing private entrance is sufficient to serve the proposed use. An email was also received from Medge Carter of the Rappahannock County Health Department on June 29, 2017 to advise that they have no objections to the proposed kennel. In closing, he advised that most of tonight's discussion (on the request) was discussed at the recent work session.

Questions from the public:

Michael Trivett was present and asked about: 1) the type of types to be raised; and 2) how many puppies will be on site; also advised that he's trying to sell his house (i.e. he can hear dogs barking on occasion) and didn't want the future property owners to have issues in the future.

Ms. Gillespie advised that:

- ✓ The breed will be "Golden Doodles" (i.e. a mix of Golden Retriever and Poodle)
- ✓ Dogs will range in two (2) sizes: 45 lbs. – 50 lbs. and up to 75 lbs.
- ✓ The amount of puppies will depend on the total number of females on site that will be bred

Mr. Yowell, Chair, encouraged the public to provide all questions to the Planning Commission (and not to the applicants). He also noted that during the workshop session, the Gillespie's advised that they are in the process of building a house; construction traffic does upset the dogs. In closing, he stressed emphasis on the proposed '7 a.m. to 7 p.m.' schedule, as discussed.

A Commission member asked if the exercise area would be fenced in, and if it would be acceptable (to the applicant) if he took a look at the proposed area in question.

After discussion, the Madison County Planning Commission recommended that Case No. SU-07-17-11 be recommended to the Madison County Board of Supervisors for approval. After discussion, the original motion was amended to contain the condition that:

"The dogs will be put up at night by 7:00 p.m. and will not be let out in the morning until 7:00 a.m." (i.e. 7 a.m. to 7 p.m. schedule)"

- 40-47 b. Case No. SP-07-17-12: Request by Madison County Rescue Squad Inc. for a site plan and a soil and erosion plan for the construction of a rescue squad building, an accessory structure and a helipad. This property is located on Routes 29 Northbound Lane and Route 680 (Gate Road) and contains 15.573 acres of land near Madison, zoned Conditional Business, B-1. The entrance will be located off of Route 680 (Gate Road). This is the final plan. Letter received from Suzanne Haldin dated 4/27/17 of the Health Department that states that a permit to install septic and well. A letter was also received on 5/18/17 from VDOT that states the plans are generally acceptable. Adam Moore has signed the plan on 5/10/17. A letter of approval has also been received from DEQ received on 5/25/17. A letter has also been received from the Culpeper Soil & Water Conservation District (to Matt Aylor) to advise that the proposed plans meet the minimum requirement standards with a recommendation.

Steve Grayson of the Madison County Volunteer Rescue Squad was present and provided a brief over of the construction project being proposed (off Gate Road). Emphasis focused on:

- ✓ Size of main structure
- ✓ Auxiliary building (to be placed at the rear of the main building)
- ✓ Helipad on site
- ✓ Seven (7) drive-through bays
- ✓ Approval has been attained from all pertinent parties for the proposed project
- ✓ Project will be 'as green' as possible
- ✓ Facility will utilize LED lighting (i.e. skylights inside and outside)

Questions from the Commission focused on:

- ✓ Whether the lighting will be directed downward (to minimize light pollution)
- ✓ What will the auxiliary structure be used for

Mr. Grayson advised that:

- ✓ The lights at the front of the building will be twenty-five feet (25') in height
- ✓ A flagpole will be erected with three (3) lights in place
- ✓ The rear (from entrance off Gate Road to the auxiliary building) will house fifteen foot (15') lighting
- ✓ All lighting will be designed to minimize light pollution
- ✓ Auxiliary building will be used to store equipment (for the squad's auxiliary) and a unisex restroom
- ✓ One bay area will be used to store supplies (i.e. lawnmower, etc.)
- ✓ Structure is being designed to accommodate future growth in Madison County

After discussion, the Madison County Planning Commission recommended that Case No. SP-07-17-11 be recommended to the Madison County Board of Supervisors for approval.

Carlton Mayo Yowell, Chair, stepped down from participating in Case No. S-07-17-13.

The meeting was turned over to Michael Moscoe, Commission member, and Bill Gentry, representative for the applicant.

48-61 & 61Z c. Case No. S-07-17-13: Request by Carlton Mayo Yowell, Trustee for the James Smith Blankenbaker Trust for a plat of a subdivision of land to create four (4) lots, no residue. This property is located on Routes 626 (Gibbs Road) and Route 230 (Orange Road) at Pratts, zoned R-1 and B-1. Map Number 48-61Z will be boundary line adjusted to be included in Parcel B.

Bill Gentry was present on behalf of the applicant; tonight's request involves a ninety-eight (98) acre parcel to be created into four (4) lots of thirteen (13) to forty-two (42) acres. The final plan has been approved by the Madison Health Department and VDOT; all planning and zoning requirements have all been met.

Wayne (Brenda) Richards was present; owns property (Lot #18 and Lot #19) that adjoins the property being discussed; right of way entrance for the property being discussed runs beside one of their personal lots; advised concerns about the water table; verbalized favor of the proposal, but also stressed the need (for him) to look out for their personal interests, as they feel tonight's proposal will definitely affect their vacant adjoining lot.

Additional discussions focused on:

- ✓ The acreage involved
- ✓ The average size of the proposed lots
- ✓ Whether the larger lots (being sold) will be broken down further (by potential buyers) and sold as smaller lots
- ✓ Whether the proposed lots will cause drainage issues

After discussion, the Madison County Planning Commission recommended that Case No. S-07-17-13 be recommended to the Madison County Board of Supervisors for approval.

4. Mr. Yowell, Chair, advised that the next workshop will be scheduled for July 19, 2017 at 7:00 p.m. in the auditorium. Discussions will focus on attaining feedback on:

- ✓ Primitive campgrounds
- ✓ Proposed changes to M1 and M2 zones
- ✓ BOS request for review of Ordinance pertaining to health department and VDOT approval(s)

4. Adjournment

With no further action being required, Mr. Yowell, Chair, adjourned the Madison County Planning Commission's portion of tonight's session.

Board of Supervisors

Call to Order

Chairman Jackson called the Madison County Board of Supervisors to order.

1. Determine Presence of a Quorum

Chairman Jackson advised that a quorum was present.

2. Adoption of Agenda

Supervisor McGhee moved that the Board adopt the Agenda as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, ██████ Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

3. Action Items:

42-20F a. Case No. SU-07-17-11: Request by Deborah Gillespie

Supervisor Campbell moved the Board approve Case No. S-07-17-11 as recommended by the Madison County Planning Commission, with the condition that:

"The dogs will be put up at night by 7:00 p.m. and will not be let out in the morning until 7:00 a.m." (i.e. 7 a.m. to 7 p.m. schedule)"

seconded by Supervisor Hoffman. *Ayes: Jackson, ██████ Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

40-47 b. Case No. SP-07-17-12: Request by Madison County Rescue Squad, Inc....

Supervisor Campbell moved the Board approve Case No. SP-07-17-12, as recommended by the Madison County Planning Commission, seconded by Supervisor Hoffman. *Ayes: Jackson, ██████ Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

It was noted that the bond estimate for Case No. SP-07-17-12 is set at \$87,000.00, to which the County Attorney advised will need to be acted upon separately.

- Supervisor McGhee: Questioned whether the project is right on Gate Road

Mr. Grayson advised that:

- ✓ Gate Road actually joins the proposed property where the new building will be situated
- ✓ The parcel to the rear (of the proposed site) is owned by another citizen
- ✓ The existing right-of-way to the property is also owned by another citizen
- ✓ The intent is to keep the existing right-of-way in place
- ✓ The rescue squad doesn't plan to utilize the existing right-of-way

Supervisor Campbell moved that the Board approve Case No. SP-07-17-12, as recommended by the Madison County Planning Commission. *Ayes: Jackson, ██████ Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

- Supervisor Campbell: Noted that the bond estimate will be refunded to the rescue squad, but questioned if the

administrative portion of the fee would be refunded; feels the County will have to provide the funds if the rescue squad doesn't have the applicable funds

Mr. Grayson advised that the \$17,000.00 is monies that will actually not have to be paid, but will be deemed as contingency over/above the estimated bond costs.

The County Attorney advised that in most cases, the bond release is similar to a 'letter of credit.' He also noted that if the rescue squad doesn't have the funds, the County would first proceed with attaining the 'letter of credit.'

Mr. Grayson explained that the normal costs associated with a procedure such as what's being proposed tonight would be about \$2,500.00 (estimate based on fees and associated administrative costs), although he's uncertain if the rescue squad will have to pay the aforementioned amount at this time.

- *Chairman Jackson: Questioned if the rescue squad has an issues with the proposed bond estimate, and if the County had waived all fees to this point*

Mr. Grayson advised that the rescue squad will oblige by the decision of the County; noted that a bond estimate is the 'cost of doing business', and also advised that all associated fees (i.e. zoning, building, etc.) have been waived by the County to this point.

The County Attorney noted that the County has generally waived application fees (for other County organizations) for these types of construction requests, but (to the best of his knowledge), the County has never waived a bond estimate. In closing, he suggested that:

- ✓ The rescue squad should be treated as would any other entity/individual
- ✓ The proposed request is for a construction project

And also noted that it would be easier for the County to 'go after the bond' as opposed to 'going after the rescue squad' in the event that something should go wrong with the construction project.

Mr. Grayson also clarified that the County has waived all associated fees (i.e. building/zoning) for the rescue squad thus far pertaining to tonight's proposed construction project; also noted that the lenders have verbalized no problems with getting the bond.

Supervisor Hoffman moved that the Board approve the bond estimate at \$87,000.00 as requested, seconded by Supervisor Campbell. *Ayes: Jackson, [REDACTED] Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

48-61 & 61Z c. Case No. S-07-17-13: Request by Carlton Mayo Yowell, Trustee

- *Supervisor Campbell: Questioned how the proposed property is zoned R-1 – subdivision is zoned A-1 (i.e. feels the property should've been zoned as A-1 and the subdivision as R-1)*

Bill Gentry, Realtor, was present and noted that the property's zoning was changed in past years.

Comments focused on:

- ✓ The overall cost to adhere to VDOT specs (i.e. roadway)
- ✓ Demographics and value of the land (i.e. with regard to sewer, water, etc.)

Supervisor Campbell moved the Board approve Case No. S-07-17-13, as recommended by the Madison County Planning Commission, seconded by Supervisor McGhee. *Ayes: Jackson, [REDACTED] Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

4. Information/Correspondence

Chairman Jackson informed the Commission members that it has been discussed with the County Attorney about scheduling a public hearing in order to initiate action on the County ordinances.

Mr. Yowell, Chair, suggested that Chairman Jackson provide more detailed information (to the Commission) on the aforementioned issue during the next workshop session.

5. Closed Session (if necessary)

6. Adjournment

With no further action being required, on motion of Supervisor Hoffman, seconded by Supervisor McGhee, Chairman Jackson adjourned the meeting.

Clerk of the Board of the Madison County Board of Supervisors

Adopted on: July 25, 2017

Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda
Joint Meeting and Public Hearing
Madison County Board of Supervisors
Wednesday, July 5, 2017 at 7:00 p.m.
Madison County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727



1. Determine Presence of a Quorum
2. Approval of Minutes
3. Action Items:

42-20F

- a. *Case No. SU-07-17-11: Request by Deborah Gillespie for an indefinite special use permit to operate a kennel for no more than twenty-eight (28) adult dogs (this does not include the puppies). This property is located on Route 631 (Meander Run Road) and contains 13.578 acres of land near Locust Dale, zoned A-1.*

40-47

- b. *Case No. SP-07-17-12: Request by Madison County Rescue Squad Inc. for a site plan and a soil and erosion plan for the construction of a rescue squad building, an accessory structure and a helipad. This property is located on Routes 29 Northbound Lane and Route 680 (Gate Road) and contains 15.573 acres of land near Madison, zoned Conditional Business, B-1. The entrance will be located off of Route 680 (Gate Road).*

48-61 & 61Z

- c. *Case No. S-07-17-13: Request by Carlton Mayo Yowell, Trustee for the James Smith Blankenbaker Trust for a plat of a subdivision of land to create four (4) lots, no residue. This property is located on Routes 626 (Gibbs Road) and Route 230 (Orange Road) at Pratts, zoned R-1 and B-1. Tax Map Number 48-61Z will be boundary line adjusted to be included in Parcel B.*

4. Adjournment

Board of Supervisors

Call to Order

1. Determine Presence of a Quorum
2. Adoption of Agenda
3. Action Items:
 - 42-20F a. *Case No. SU-07-17-11: Request by Deborah Gillespie.....*
 - 40-47 b. *Case No. SP-07-17-12: Request by Madison County Rescue Squad Inc.....*
 - 48-61 & 61Z c. *Case No. S-07-17-13: Request by Carlton Mayo Yowell, Trustee.....*
4. *Information/Correspondence (if any)*
5. *Closed Session (if necessary)*
6. *Adjournment*